

# Exhibit 4

JORDAN LIPPNER  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
AUSTIN FENNER and IKIMULISA LIVINGSTON,

Plaintiffs,  
-against-

09 CIV 9832 (BSJ) (RLE)

NEWS CORPORATION, NYP HOLDINGS, INC., d/b/a  
THE NEW YORK POST and DAN GREENFIELD and  
MICHELLE GOTTHELF,

Defendants.

-----X  
SANDRA GUZMAN,

Plaintiff,

vs. 09 CIV 9323 (BSJ) (RLE)

NEWS CORPORATION, NYP HOLDINGS, INC., d/b/a  
THE NEW YORK POST, and COL ALLAN, in his  
official and individual capacities,

Defendants.

-----X  
VIDEOTAPED DEPOSITION OF JORDAN LIPPNER  
New York, New York  
Wednesday, February 29, 2012

REPORTED BY: BARBARA R. ZELTMAN  
(BOBBIE)  
Professional Stenographic Reporter

Job Number: 46779

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1 JORDAN LIPPNER  
 2 office on the eighth floor of 1211 Avenue of  
 3 the Americas who works for News Corp.?  
 4 A Are we talking presently?  
 5 Q Yeah. Tell me presently.  
 6 A I believe Jeff Mook.  
 7 Q Who is Jeff Mook?  
 8 A He is head of human resources for  
 9 News Corporation.  
 10 Q Was the head of human resources for  
 11 News Corp. also located on the eighth floor  
 12 when Sandra Guzman was employed?  
 13 A Correct.  
 14 Q And who was that at the time?  
 15 A There were a couple of different  
 16 people.  
 17 The first was Ian Moore and the  
 18 second was a woman named Beryl, B-E-R-Y-L,  
 19 Cook.  
 20 Q Do you know if any other News Corp.  
 21 executives occupied office on the eighth  
 22 floor at 1211 Avenue of the Americas?  
 23 A There may be a few others, but  
 24 those are the ones that come to mind.  
 25 Q What about during Ms. Guzman's

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1 JORDAN LIPPNER  
 2 was a gentleman by the name of Andrew  
 3 Butcher.  
 4 Q Who was Andrew Butcher?  
 5 A He was head of our communications  
 6 department at one point.  
 7 There was a gentleman by the name  
 8 of Gary Ginsburg. He was also in  
 9 communications.  
 10 A woman by the name of Rachel  
 11 Webber.  
 12 Gentleman by the name of Leon  
 13 Hertz.  
 14 Those are all the names that I  
 15 think of.  
 16 MR. THOMPSON: Can you go back  
 17 to his statements just now.  
 18 Q You testified, Mr. Lippner, when I  
 19 asked you who Andrew Butcher was, you said  
 20 he was head of our communications department  
 21 at one point.  
 22 What do you mean by "head of our  
 23 communications department at one point"?  
 24 A I mean he was head of News  
 25 Corporation.

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1 JORDAN LIPPNER  
 2 employment, can you think of anyone else?  
 3 A At the --  
 4 MR. LERNER: Objection. These  
 5 are the people that presently occupy  
 6 that space. So when you say can you  
 7 think of anyone else --  
 8 MR. THOMPSON: I just said  
 9 during Ms. Guzman's employment.  
 10 MR. LERNER: Understood. But  
 11 when you said can you think of anyone  
 12 else, to me the question supposes  
 13 that these people occupied that space  
 14 during Ms. Guzman's employment which  
 15 is not his testimony.  
 16 MR. THOMPSON: Then I'll make  
 17 it crystal clear.  
 18 Q Can you think of any other News  
 19 Corp. executive that occupied the eighth  
 20 floor during Ms. Guzman's employment?  
 21 A While Ms. Guzman was employed,  
 22 Mr. Murdoch, Mr. Nallen, Mr. Devoe,  
 23 Mr. Siskind, Mr. Jacobs, Mr. Moore, Ms. Cook  
 24 had office space up there.  
 25 There were others such as -- there

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1 JORDAN LIPPNER  
 2 I thought that that was what we  
 3 were talking about, who were the News  
 4 Corporation employees on the eighth floor.  
 5 Q So when you say "our," do you  
 6 consider yourself to be part of News  
 7 Corporation?  
 8 A In a global sense.  
 9 Q What do you mean by "in a global  
 10 sense"?  
 11 A Well, I work for a company that's  
 12 owned by News Corporation.  
 13 Q But do you believe you work for  
 14 News Corporation?  
 15 A No.  
 16 Q Now, during Ms. Guzman's employment  
 17 from 2003 to 2009, did News Corporation  
 18 occupy any of the floors at 1211 Avenue of  
 19 the Americas, that you know of?  
 20 A There were News Corp. employees on  
 21 the fourth floor and there were News Corp.  
 22 employees at some point on the seventh  
 23 floor.  
 24 That's it.  
 25 Q Identify the News Corp. employees

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Q The third floor.

In order to get access to the third floor, wouldn't an employee have to have one of those IDs issued by one of the companies that are part of the News Corp. family?

A No.

Q So anyone in the building can just come on the third floor?

A They probably could.

Q But in order to get to the elevator bank, they would have to use a News Corp. or New York Post ID, correct?

MR. LERNER: Objection.

A Incorrect.

I said incorrect.

Q Now, in terms of your position as deputy general counsel and senior vice president of News America Incorporated, do you have responsibility over legal affairs at The New York Post?

A Certain legal affairs, yes.

Q What legal affairs?

A I am -- I advise The New York Post on employment and labor-related matters.

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I do some training for The New York Post and --

Q What type of training do you do for The New York Post?

A And I also work with The Post on some civil litigation matters as well as some business and contract matters.

Q What type of training do you do for The New York Post?

A I've assisted with management training, with fair work environment training. I think that's it.

Q When you say management training, what do you mean?

A How to work with managers, supervisors. How to be a good supervisor, how to be a good managers, things of that nature.

Q What do you mean by "fair work environment training"?

A In making the employees familiar with The New York Post's fair work environment policies and what their obligations are and things to avoid and how

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to conduct themselves in an appropriate manner.

Q Did you provide training regarding fair work environment when Ms. Guzman worked at the company?

A I did.

THE WITNESS: Is this an okay time to go to the bathroom, Counsel.

MR. THOMPSON: Yes, yes.

THE VIDEOGRAPHER: The time is 11:31 a.m. Going off the record.

(A brief recess was taken.)

THE VIDEOGRAPHER: The time is 11:50 a.m. We're on the record.

BY MR. THOMPSON:

Q Mr. Lippner, when you had an office on the same floor as Gavenchak, Nova, how would you actually get access to their offices?

A Walk over to them.

Q Did you have to use any security pass to get over to them?

A To Genie Gavenchak's office?

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JORDAN LIPPNER

Q Yes.

A No, I just had to knock on the door and say hello.

Q Is it fair to say that when you were on the fifth floor and I believe the 13th and then the 28th floor that the lawyers who worked for the various companies were located in the same area?

A That's not correct.

Q Describe how the lawyers were situate when you worked on the fifth floor together?

A I never worked on the fifth floor.

Q The 13th floor.

A We are -- most of us -- actually there are lawyers -- I am -- I sit on a floor with lawyers who work for News Corporation and lawyers who work for News America Incorporated. There are other lawyers that work for other companies that are fully owned by News Corporation that don't sit on the 13th floor. The general counsel sits on the eighth floor who is a News Corporation lawyer. Joel Klein is a

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York Post, myself and a number of my colleagues, meaning people who are News America Incorporated lawyers as well as News Corporation lawyers did work on behalf of our client The New York Post.

Q I want you to identify the individuals, the individual News Corp. attorneys who handled legal matters for The New York Post during Ms. Guzman's employment.

A Genie Gavenchak is -- she would have done some work for The Post and she is a News Corporation lawyer.

She might be the only News Corporation lawyer who has done some work, and I think her work would have been part of -- her expertise is on the First Amendment and she may have done some First Amendment work for them.

Q Do you know if she still does legal work for The New York Post?

A Yes.

Q And identify the attorneys who work for News America Incorporated who also

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provided legal services for The New York Post during Ms. Guzman's employment.

A That would be myself, Michelle Francis, Jim Markovitz, Jan Constantine and Michael Cameron.

Q When Ms. Guzman worked at the company, who did you report to as senior vice president and deputy general counsel of News America Incorporated?

A For the initial few years of my employment at News America Incorporated, I reported to Jan Constantine and after she left, I reported to Genie Gavenchak.

Q How long did you report to Genie Gavenchak?

A I still do.

Q So is it fair to say you've reported to Genie Gavenchak for a number of years?

A That is fair to say.

Q So is Genie Gavenchak -- strike that.

Do you know if any other attorneys who work for News America Incorporated also

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reported to Genie Gavenchak during Ms. Guzman's employment?

A Yes.

Q Can you identify those attorneys who also reported to Ms. Gavenchak?

A Yes.

Michelle Francis, Louis Manzo, Michael Cameron.

That might be it.

Q Do you know if you and those other attorneys are still reporting to Genie Gavenchak?

A Yes, I'm aware of that.

Q Now, Genie Gavenchak is an attorney for News Corporation, correct?

A That's correct.

Q So why is it that you and other attorneys for News America Incorporated would have to report to an attorney for News Corporation in carrying out your duties?

MR. LERNER: Objection.

A That's how it's been set up by -- I don't know the rhyme or reason. I'm just an employee. It hasn't been explained to me

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why I report or to whom I report.

Q Did you ever ask why do we have to report to a News Corp. attorney if they are different attorneys?

A No, I never asked that question.

Q Well, in preparing for your testimony as a 30(b)(6) witness for News Corp., did you ever ask anyone why are lawyers for News America Incorporated reporting to the attorney for News Corp.?

A No, never asked that because it's not part of the scope of the 30(b)(6) Notice.

Q Well, you would agree, would you not, Mr. Lippner, that you claim that News America Incorporated is the parent company of NYP Holdings, correct?

A I don't claim, Mr. Thompson, anything.

I have sworn under oath that that is a fact.

Q You've also sworn under oath that Les Goodstein is not an employee of News Corp., right?

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1 JORDAN LIPPNER  
 2 MR. LERNER: Objection.  
 3 A On the days that The New York Post  
 4 security guards are not at 1211, they are  
 5 providing security for New York Post  
 6 employees at 900 East 132nd Street.  
 7 Q So I'm going to ask the question  
 8 differently.  
 9 When there are no New York Post  
 10 security officers at 1211 Avenue of the  
 11 Americas, who provides security for The New  
 12 York Post employees at 1211 Avenue of the  
 13 Americas?  
 14 A The building owner -- and I don't  
 15 know who the building owner is but it is not  
 16 News Corp. or any of its subsidiaries --  
 17 provides security for the tenants of the  
 18 building.  
 19 Q Okay.  
 20 So what role does the Security  
 21 Department for News Corp. play differently  
 22 than the security that the building owner  
 23 provides?  
 24 MR. LERNER: Objection. Beyond  
 25 the scope of 30(b)(6) Deposition

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1 JORDAN LIPPNER  
 2 Ms. Guzman worked at the company?  
 3 A Absolutely.  
 4 Q Now, do you also have an e-mail  
 5 address that is specifically tied to News  
 6 America Incorporated?  
 7 MR. LERNER: Objection.  
 8 A I only have one address and it is  
 9 jlippner@newscorp.com and that is my News  
 10 America Incorporated e-mail address.  
 11 Q So is it fair to say, Mr. Lippner,  
 12 that employees who work for The New York  
 13 Post have a different e-mail address than a  
 14 News Corp. e-mail address?  
 15 MR. LERNER: Objection.  
 16 A Employees who work for The New York  
 17 Post do not have a News America Incorporated  
 18 e-mail address or a News Corporation e-mail  
 19 address. They have a New York Post e-mail  
 20 address.  
 21 Q Do you know why you have a newscorp  
 22 e-mail address if you work for News America  
 23 Incorporated?  
 24 MR. LERNER: Object to form.  
 25 A I do not have a News Corporation

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1 JORDAN LIPPNER  
 2 Notice.  
 3 MR. THOMPSON: It's not.  
 4 MR. LERNER: Instructing the  
 5 witness not to answer the question.  
 6 (Directive to witness.)  
 7 Q Mr. Lippner, are you going to  
 8 answer that question?  
 9 A I'm going to follow the advice of  
 10 my counsel.  
 11 Q Isn't it fair to say that the  
 12 Security Department for News Corp. also  
 13 provides security for The New York Post  
 14 employees at 1211 Avenue of the Americas?  
 15 A No.  
 16 Q Do you have an e-mail address at  
 17 work?  
 18 A Yes.  
 19 Q What is it?  
 20 A Jlippner@newscorp.com.  
 21 Q Do you have a -- strike that.  
 22 Has that been your e-mail address  
 23 for the past several years?  
 24 A It has.  
 25 Q Was it your e-mail address when

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1 JORDAN LIPPNER  
 2 e-mail address. I have a News America  
 3 Incorporated e-mail address.  
 4 Q Okay.  
 5 Is it fair to say, Mr. Lippner,  
 6 that your e-mail address is  
 7 jlippner@newscorp.com?  
 8 A My work e-mail is that e-mail, yes.  
 9 Q And I'm only talking about your  
 10 work e-mail. I'm not talking about private  
 11 e-mail right now or personal e-mail.  
 12 Why, Mr. Lippner, do you have a  
 13 newscorp.com e-mail address if you work for  
 14 News America Incorporated?  
 15 MR. LERNER: Objection.  
 16 Mr. Thompson, the reason for  
 17 Mr. Lippner's e-mail address has nothing  
 18 to do with the relationship between  
 19 The New York Post and News Corp.  
 20 Mr. Lippner does not work for  
 21 The New York Post. He doesn't have an  
 22 office at The New York Post and he's  
 23 testified to that.  
 24 MR. THOMPSON: Yes. But,  
 25 Mr. Lerner, as you know, Mr. Lippner



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has maintained an office at  
1211 Avenue of the Americas for  
years.

The same address where the  
editorial and business offices of The New  
York Post are located.

I have a right to probe this  
witness regarding the e-mail addresses  
used by News Corp. employees and The New  
York Post employees, and I'm asking him  
why does he have a newscorp e-mail  
address if he works for News America  
Incorporated.

It is a fair area to inquire to  
determine if News Corp. and News America  
Incorporated are the same company.

MR. LERNER: It's beyond the  
scope.

MR. THOMPSON: It is not.

MR. LERNER: I'm directing the  
witness not to answer that question.

(Directive to witness.)

BY MR. THOMPSON:

Q Mr. Lippner, do you know if there

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JORDAN LIPPNER  
is one computer server for News Corp.  
employees and New York Post employees?

MR. LERNER: Objection.

A I know there is not one computer  
server.

Q Tell us -- describe the different  
computer servers for The New York Post  
employees and -- as opposed to the computer  
server for the News Corp. employees?

MR. LERNER: As best you can  
and understanding that you are not an  
IT specialist.

MR. THOMPSON: Mr. Lerner, he  
doesn't have to be an IT specialist.  
He has to be prepared to answer the  
questions that are relevant to the  
30(b)(6) Dep Notice.

MR. LERNER: I'm not even sure  
what a server is. And Mr. Lippner  
and I are both lawyers, as are you.  
So he can answer that question as  
best he can with that understanding.

A I am not what you would call a  
computer geek or very IT savvy.

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What I can tell you is that The New  
York Post maintains separate and distinct  
computer databases, computer servers from  
News Corporation.

They have nothing to do with each  
other. Each company has separate IT  
departments.

I don't know how else to answer  
your question.

Q Do you know anyone who has a  
newsamerica.com e-mail address?

A Yes.

Q Who?

A Every employee of News America  
Marketing.

Q News America Marketing?

A Yes.

Q So what's the e-mail address for  
employees at News America Marketing?

MR. LERNER: Objection.

A Something to do with their name,  
@newsamerica.com.

Q Is it fair to say, Mr. Lippner,  
that you and other attorneys for News

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America Incorporated have a newscorp.com  
e-mail address at work?

A I'm sorry, can you repeat the  
question.

(Requested portion of record read:  
"Q. Is it fair to say,

Mr. Lippner, that you and other attorneys  
for News America Incorporated have a  
newscorp.com e-mail address at work?")

(End of read-back.)

A Yes. My and my News America  
Incorporated legal colleagues, our e-mail  
addresses end with newscorp.com.

Q Do you know why your e-mail  
addresses end with newscorp.com as opposed  
to newsamerica.com?

MR. LERNER: Objection. This  
is exactly the same question in which  
we already had a colloquy and we have  
objected to the question, and I  
instruct the witness not to answer  
beyond the scope of this Deposition  
Notice.

(Directive to witness.)

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ten-year employment at News America Incorporated.

And during that ten-year period, I have not once had a discussion with any executive at The New York Post about a policy that they were implementing or a new policy that was handed down. Period.

And no new policies have been handed down in that regard.

So I'm basing that as my statement that I don't believe a single policy has been handed down by the board of directors of The New York Post on New York Post employees.

Q Do you know if Paul Carlucci ever set policy for The New York Post employees?

A Yes.

Q How do you know that?

A Because I do.

Q What's the basis besides "I do"?

A The New York Post a few years ago implemented a formal annual performance appraisal system. It was the first time in The Post history that they were implementing

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such a procedure, and they were implementing it because Paul Carlucci wanted to implement it.

Q Do you know if Paul Carlucci discussed that particular policy during any board meeting?

A I do not.

Q Strike that.

Do you know if Paul Carlucci discussed that particular policy during any meeting of the board of directors of The New York Post?

A I do not.

Q Mr. Lippner, who has final authority over personnel decisions at News Corporation?

A It would depend on the employee that we're talking about.

Q Well, is there one person who had final authority over personnel decisions at News Corp.?

A No.

Q Is there one person who has final authority over personnel decisions at The

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New York Post?

A I mean every situation stands on its own.

Q I understand that. My question is different.

My question is: Is there a person at The New York Post who has final authority over personnel decisions affecting New York Post employees?

MR. LERNER: Objection.

A You know, I think I don't then really understand your question.

Q I'll ask it differently.

Does Paul Carlucci have final say over personnel decisions at The New York Post?

MR. LERNER: Objection.

A No.

Q Does Rupert Murdoch have final say over personnel decision at The New York Post?

A No.

Q Who has final say over personnel decisions at The New York Post?

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A Your question has a faulty premise. You are suggesting that such a person exists.

Q I'll ask it differently then.

Does any person or group have final say over personnel decisions at The New York Post?

MR. LERNER: Objection.

A As I said before, each situation will stand on its own.

If you are talking about, for example, Bob Smith, random employee who works in the sales department, is going to get fired and the manager in the sales department is going to be handling that.

If you are talking about one in editorial, some senior editor will be handling that.

There is no mandatory policy or procedure that dictates at The New York Post how someone gets fired.

Q Who is the highest ranking person at The New York Post?

A Paul Carlucci.



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<p>1 JORDAN LIPPNER 2 Q Who does he report to? 3 A He reports to the chairman of the 4 board of directors. 5 Q Who is that? 6 A Rupert Murdoch. 7 Q So at any time isn't it fair to say 8 that Rupert Murdoch has final authority over 9 The New York Post? 10 MR. LERNER: Objection. 11 A No. 12 Q Is it your testimony, Mr. Lippner, 13 that Paul Carlucci has more authority over 14 The New York Post than Rupert Murdoch? 15 MR. LERNER: Objection. 16 A Yes. Paul Carlucci runs the 17 day-to-day operations of The Post. He is 18 the senior-most executive at The Post. 19 Q So if Paul Carlucci wanted to fire 20 someone in sales at The New York Post, he 21 had final authority to do that? 22 MR. LERNER: Objection. 23 A I don't know what you mean by 24 "final authority." 25 Q It is your testimony that Paul</p>	<p>1 JORDAN LIPPNER 2 Carlucci is the highest ranking person at 3 The New York Post, correct? 4 A It's my testimony that he is the 5 highest ranking executive of The New York 6 Post. 7 Q Okay. 8 And who is the highest ranking 9 editor at The New York Post? 10 A Col Allan. 11 Q And who does Col Allan report to? 12 A He also reports in to, as I 13 understand it, he reports in to the chairman 14 of the board of The New York Post, Rupert 15 Murdoch. 16 Q So is it your testimony that Paul 17 Carlucci would have more authority over 18 firing an employee at The New York Post than 19 Rupert Murdoch? 20 MR. LERNER: Objection. 21 A Yes. 22 Q Is it also your testimony that Col 23 Allan would have more authority in firing 24 someone who works in the Editorial 25 Department at The New York Post over Rupert</p>
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<p>1 JORDAN LIPPNER 2 Murdoch? 3 MR. LERNER: Objection. 4 A Mr. Murdoch does not get involved 5 with employee terminations at The New York 6 Post. 7 Q That's not my question. 8 Can you answer my question. 9 A I just answered it. 10 Q No you have not. 11 (Requested portion of record read: 12 "Q. Is it also your testimony that 13 Col Allan would have more authority in 14 firing someone who works in the Editorial 15 Department at The New York Post over 16 Rupert Murdoch?") 17 (End of read-back.) 18 A Yes. Mr. Murdoch does not get 19 involved in employee terminations at The New 20 York Post. 21 MR. THOMPSON: Move to strike 22 the last part of his answer as 23 nonresponsive. 24 Don't worry, Bobbie, we'll take a 25 break.</p>	<p>1 JORDAN LIPPNER 2 MR. LERNER: Ken, it's five 3 after 1. 4 MR. THOMPSON: Want to take a 5 break now? 6 MR. LERNER: It's -- I actually 7 have 1:10 on my watch. 8 MR. THOMPSON: Do you want to 9 take a lunch break? 10 MR. LERNER: Yes. 11 MR. THOMPSON: What time do you 12 want to resume? 13 MR. LERNER: 2:00. 14 THE VIDEOGRAPHER: The time is 15 1:09 p.m. We're off the record. 16 (A luncheon recess was 17 taken at 1:09 p.m. 2:15 p.m.) 18 AFTERNOON SESSION 19 JORDAN LIPPNER, 20 resumed, having been previously 21 duly sworn, was examined 22 and testified further as follows: 23 THE VIDEOGRAPHER: The time is 24 2:15 p.m. We're on the record. 25 CONTINUED EXAMINATION BY MR. THOMPSON:</p>

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Resources on that day, correct?

A That is correct.

Q What was her title in September of 2008?

A I believe it was vice president of Human Resources.

Q Who did Amy Saldone report to in September 2008?

A Jennifer Jane.

Q And who did Jennifer Jane report to at that time?

A Paul Carlucci.

Q You see Les Goodstein was also present for The New York Post executive committee meeting on September 22, 2008, correct?

A I do.

Q Do you know why Mr. Goodstein was present for that meeting?

A I do not.

Q You see that Col Allan was also present, correct?

A I do.

Q And you see Jennifer Jane was

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present, correct?

A Correct.

Q I want you now to look at NYP2059.

Do you have that in front of you?

A I do.

Q Do you see it says "New York Post executive committee agenda from November 17, 2008?"

A Yup.

Q And it also states that the meeting occurred in the Leonard French Conference Room on the third floor at 1211 Avenue of the Americas, correct?

A Yes.

Q And it states Paul Carlucci, the publisher of The New York Post, was present, correct?

A It does.

Q And it also states that the vice president of Human Resources, Amy Saldone, was present?

A It does.

Q And it states that Les Goodstein was present, as well, correct?

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A It does.

Q And it also states that Col Allan, the editor in chief for The New York Post, was present, correct?

A Correct.

Q And it states that Jennifer Jane was also present, correct?

A Yes.

Q Why was Les Goodstein present for this meeting of The New York Post executive committee on November 17, 2008?

A You would have to ask Mr. Goodstein.

Q I want to direct your attention to NYP-2011.

You see it says "New York Post executive committee agenda from December 1, 2008"?

A Correct.

Q And that particular meeting also occurred in the Leonard French Conference Room on the third floor at 1211 Avenue of the Americas, correct?

A That is correct.

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Q And in attendance was the publisher of The Post, Paul Carlucci, correct?

A Correct.

Q And the vice president of Human Resources, Amy Saldone, correct?

A Correct.

Q In addition, Col Allan, editor in chief of The New York Post, was present, correct?

A Yes.

Q And Jennifer Jane was also present, correct?

A That is correct.

Q Now, at the time, Jennifer Jane was an employee of -- strike that.

Was Jennifer Jane at the time an employee of News Corporation or The New York Post?

A Jennifer Jane was a New York Post employee.

Q Was Col Allan an employee of News Corporation or New York Post at that time?

A The New York Post.

Q Was Amy Saldone an employee of News

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1 JORDAN LIPPNER  
 2 Corporation or The New York Post?  
 3 A The New York Post.  
 4 Q And was Paul Carlucci an employee  
 5 of News Corporation or The New York Post?  
 6 A I believe The New York Post.  
 7 Q And you see it says "Les  
 8 Goodstein"?  
 9 A I do.  
 10 Q Why was Les Goodstein in this  
 11 meeting of The New York Post executive  
 12 committee on December 1, 2008?  
 13 A You would need to ask  
 14 Mr. Goodstein.  
 15 Q Well, do you know whether  
 16 Mr. Goodstein worked for News Corporation or  
 17 New York Post on December 1, 2008?  
 18 MR. LERNER: Objection.  
 19 A I'll stick to my prior answers on  
 20 this question, that I believe Mr. Goodstein  
 21 is a News America Incorporated employee.  
 22 Q I want to direct your attention to  
 23 NYP-2067.  
 24 You see it says "New York Post  
 25 executive committee agenda for February 2,

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1 JORDAN LIPPNER  
 2 of The New York Post executive committee,  
 3 correct?  
 4 A That's what the document states.  
 5 Q Why was Les Goodstein present for  
 6 The New York Post executive committee  
 7 meeting on February 2, 2009?  
 8 A You would need to ask  
 9 Mr. Goodstein.  
 10 Q Do you know?  
 11 A No.  
 12 Q Now I want to turn your attention  
 13 to the next page, NYP-2068.  
 14 A What number did you say?  
 15 Q NYP-2068.  
 16 A Okay.  
 17 Q Do you see where it states "Page 6  
 18 Magazine. Jennifer reported the transition  
 19 of Page 6 Magazine from a weekly to a  
 20 quarterly magazine was announced last  
 21 Thursday, that the last weekly issue will be  
 22 February 13th with the staff's last day on  
 23 Thursday, February 5th."  
 24 Do you see that?  
 25 A I do.

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1 JORDAN LIPPNER  
 2 2009"?  
 3 A I do.  
 4 Q And you see that The New York Post  
 5 executive committee met again in the Leonard  
 6 French Conference Room on the third floor at  
 7 1211 Avenue of the Americas, correct?  
 8 A I do.  
 9 Q And you see the people in  
 10 attendance for that meeting was, again, the  
 11 publisher of The New York Post, Paul  
 12 Carlucci, correct?  
 13 A That's what it says.  
 14 Q And the vice president of Human  
 15 Resources for New York Post, Amy Saldone,  
 16 was also present, correct?  
 17 A The document says that, yes.  
 18 Q And Col Allan, editor in chief for  
 19 The New York Post, was also present on that  
 20 day, correct?  
 21 A According to the document.  
 22 Q And so was Jennifer Jane, correct?  
 23 A Same answer.  
 24 Q Now, it also states that Les  
 25 Goodstein was also present for that meeting

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1 JORDAN LIPPNER  
 2 Q And it goes on to state "Some  
 3 employees will be retained on with the  
 4 paper."  
 5 Do you see that?  
 6 A I do.  
 7 Q Now, is it still your testimony,  
 8 Mr. Lippner, that personnel matters  
 9 affecting New York Post employees were not  
 10 discussed at New York Post executive  
 11 committee meetings?  
 12 MR. LERNER: Objection.  
 13 A Yes. As far as I know, there was  
 14 no discussion between committee members as  
 15 to what was happening with particular  
 16 employees.  
 17 There may have been an  
 18 announcement, as there appears to have been  
 19 on 2068 here, of what was happening to  
 20 certain employees, but to my knowledge, the  
 21 committee did not meet to decide the fate of  
 22 a particular employee or not.  
 23 Q But that's not my question, whether  
 24 the committee met to decide a particular  
 25 fate.

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JORDAN LIPPNER  
The New York Post's as well as hundreds of other companies' standards of business conduct.

Q I understand.

Look at the first page.

You see at the top left-hand corner it says "News Corporation."

A Are you referring to Page 60?

Q No. Page NYP-58.

A And what is the question, sir?

Q Look at the top left-hand corner.

A Yes.

Q You see where it says "News Corporation"?

A I do.

Q What does that signify to you?

MR. LERNER: Objection.

A That the page says "News Corporation."

Q Does it signify anything other than just saying News Corporation?

A No.

Q Does it signify to you this is a News Corporation document?

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JORDAN LIPPNER

A Among other things.

Q Let's look at the page Bates stamp NYP60.

A Okay.

Q You see at the top it says "Introduction"?

A I do.

Q And it says "News Corporation, the Company," correct?

A I do.

Q So when you see the word "company," is it your understanding that that means News Corporation in this document?

A No.

Q So when it says "company," what does that mean to you?

A The Standards of Business Conduct has been promulgated by News Corporation and adopted for use by every company that it wholly owns.

The New York Post is a wholly owned subsidiary of News Corporation; therefore, The New York Post also uses this document as if it itself had drafted the document, and

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JORDAN LIPPNER  
it applies to each New York Post employee.

Q Did it apply to each New York Post employee during Ms. Guzman's employment?

A Absolutely.

Q Does it still apply to each New York Post employee?

A This document, no.

Q How long was this document in effect?

A I don't remember when it was subsequently changed.

Q Who at News Corp. actually promulgated these Standards of Business Conduct?

MR. LERNER: Objection.

A Well, the second paragraph on Page 60 states that the standards were adopted by the News Corporation board of directors.

Q So is it your understanding that the board of directors at News Corp. created these Standards of Business Conduct?

A I don't know what you mean by the word "create" but --

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JORDAN LIPPNER

Q What do you mean by the word "promulgate"?

MR. LERNER: Objection.

A This document says it was adopted by the board. I take that to mean that the News Corporation board of directors met and during such a meeting adopted these Standards of Business Conduct for use by News Corporation, as it says, "its subsidiaries, divisions and their directors, officers and employees."

And as it further goes on to say, "References to the Company include its subsidiaries." And that furthers my point that when this document states the word "the Company" it means The New York Post, among other things.

Q "Among other things" also including News Corporation, correct?

A Including News Corporation, HarperCollins, FOX Television, et cetera, et cetera, et cetera.

Q So you would agree, would you not, Mr. Lippner, that these Standards of

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1 JORDAN LIPPNER  
 2 Business Conduct that were in effect during  
 3 Ms. Guzman's employment applied to every New  
 4 York Post employee at the time?  
 5 A Haven't I already answered that  
 6 like four times.  
 7 Q You can answer it again.  
 8 A These standards apply to every New  
 9 York Post employee.  
 10 Q And is it your testimony that these  
 11 standards that were in effect during  
 12 Ms. Guzman's employment also apply to every  
 13 News Corp. employee and executive?  
 14 MR. LERNER: Objection.  
 15 A Every News Corp. employee, every  
 16 FOX Television employee, every HarperCollins  
 17 employee, every News Marketing employee. I  
 18 mean the list goes on and on.  
 19 Q These standards that were in effect  
 20 during Ms. Guzman's employment also applied  
 21 to Les Goodstein, correct?  
 22 A A hundred percent.  
 23 Q So is it fair to say that the only  
 24 way an executive or director can get a  
 25 waiver from these Standards of Business

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1 JORDAN LIPPNER  
 2 statement that I just read?  
 3 A My understanding of the statement  
 4 is that everyone is bound by this who is an  
 5 employee of a News Corporation company or  
 6 News Corporation itself and that if somebody  
 7 wants to be excused from complying, that  
 8 person needs to obtain a waiver from the  
 9 board of directors.  
 10 And I'm not sure if that reference  
 11 means the board of directors of that  
 12 individual's company or if it means the  
 13 board of directors of News Corporation.  
 14 Q If an employee violated these  
 15 Standards of Business Conduct promulgated by  
 16 News Corporation, could that employee be  
 17 terminated?  
 18 MR. LERNER: Objection.  
 19 A It's a hypothetical question and I  
 20 wouldn't be able to answer it without  
 21 knowing all the facts.  
 22 Q Let's look at the last paragraph on  
 23 Page Bates stamp NYP-60.  
 24 A Okay.  
 25 Q Do you see where it states "The

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1 JORDAN LIPPNER  
 2 Conduct was if the board of directors  
 3 granted that waiver?  
 4 MR. LERNER: Objection.  
 5 A I have no idea.  
 6 Q Let's look at the document.  
 7 You are familiar with this  
 8 document, correct?  
 9 A I'm familiar with the document.  
 10 Q In fact, when you did the training  
 11 at The Post, you trained based on this  
 12 document in part, right?  
 13 A In part, yes.  
 14 Q So let's look at the document that  
 15 you used to train New York Post employees.  
 16 Look at the paragraph that says  
 17 "Application of these standards to executive  
 18 officers and directors may only be waived by  
 19 the board of directors of the company or  
 20 committee of the board."  
 21 Do you see that?  
 22 A I don't.  
 23 Q It's four paragraphs down.  
 24 A Okay.  
 25 Q What is your understanding of that

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1 JORDAN LIPPNER  
 2 company may regard any employee's act in  
 3 violation of these standards to be outside  
 4 the course and scope of that employee's  
 5 employment. Any employee who shall be found  
 6 to have violated these standards may be  
 7 subject to immediate disciplinary action  
 8 including reassignment, demotion or, when  
 9 appropriate, dismissal."  
 10 Do you see that?  
 11 A I do.  
 12 Q What is your understanding about  
 13 what that particular statement in these  
 14 Standards of Business Conduct means?  
 15 MR. LERNER: Objection.  
 16 A My understanding is that it means  
 17 that employees should expect that if they do  
 18 something bad, bad things might happen to  
 19 them.  
 20 Q Including termination, correct?  
 21 A Anything is possible, sir.  
 22 Q Well, isn't it fair to say that  
 23 according to these Standards of Business  
 24 Conduct -- strike that.  
 25 Isn't it fair to say that according



<p style="text-align: right;">Page 258</p> <p>1 JORDAN LIPPNER</p> <p>2 that he is expected to have. So now</p> <p>3 we're going to have to make a motion, and</p> <p>4 we will. So we don't have to argue.</p> <p>5 BY MR. THOMPSON:</p> <p>6 Q Now, Mr. Lippner, I want to direct</p> <p>7 your attention to Bates stamp NYP-69 again.</p> <p>8 Do you see where it says "Handling</p> <p>9 Complaints"?</p> <p>10 A I do.</p> <p>11 Q Now, it says "It is the Company's</p> <p>12 policy to investigate thoroughly in</p> <p>13 remedying any incidence of harassment or</p> <p>14 discrimination."</p> <p>15 Do you see that?</p> <p>16 A I do.</p> <p>17 Q When Ms. Guzman's worked there as</p> <p>18 an associate editor, who handled complaints</p> <p>19 at The New York Post?</p> <p>20 A The Human Resources Department.</p> <p>21 Q For The New York Post or for News</p> <p>22 Corp.?</p> <p>23 A For The New York Post.</p> <p>24 Q And was there any other complaint</p> <p>25 procedure in place for New York Post</p>	<p style="text-align: right;">Page 259</p> <p>1 JORDAN LIPPNER</p> <p>2 employees to use if they wanted to complain</p> <p>3 about discrimination or harassment during</p> <p>4 Ms. Guzman's employment?</p> <p>5 MR. LERNER: Objection to form.</p> <p>6 A There was.</p> <p>7 Q What other complaint procedures</p> <p>8 were in place?</p> <p>9 A As part of News Corporation's</p> <p>10 compliance with Sarbanes-Oxley, the</p> <p>11 company -- and when I say "the company" I</p> <p>12 mean News Corporation -- was required to</p> <p>13 establish what's called an alert line. And</p> <p>14 what Sarbanes-Oxley requires is there be an</p> <p>15 anonymous way for people, including</p> <p>16 employees, to complain about financial</p> <p>17 improprieties.</p> <p>18 News Corporation, in setting up the</p> <p>19 alert line, made the decision to open up the</p> <p>20 alert line to complaints about anything</p> <p>21 under the sun, and that would include</p> <p>22 employee complaints if employees wanted to</p> <p>23 use that as an avenue to complain.</p> <p>24 Q Who actually mans the complaint</p> <p>25 hotline you just testified about? Is it a</p>
<p style="text-align: right;">Page 260</p> <p>1 JORDAN LIPPNER</p> <p>2 News Corp. employee or a New York Post</p> <p>3 employee?</p> <p>4 MR. LERNER: Objection to form.</p> <p>5 A The alert line is managed by a</p> <p>6 third party, independent -- wholly</p> <p>7 independent of News Corporation and any of</p> <p>8 its subs or affiliates.</p> <p>9 And if complaints are made, various</p> <p>10 different people can get an e-mail that a</p> <p>11 complaint has been made and depending on</p> <p>12 what the Complaint is, one of that group of</p> <p>13 people handles it by working with a</p> <p>14 particular -- wherever that complaint is</p> <p>15 focused on, if it's focused at 20th Century</p> <p>16 Films or FOX Searchlight or The New York</p> <p>17 Post, and have that company's people</p> <p>18 investigate it. And that's how it's</p> <p>19 handled.</p> <p>20 Q Is it your understanding that News</p> <p>21 Corporation established this alert line?</p> <p>22 A Yes, it is.</p> <p>23 Q When did News Corporation establish</p> <p>24 the alert line for employees to use who</p> <p>25 wanted to complain about discrimination or</p>	<p style="text-align: right;">Page 261</p> <p>1 JORDAN LIPPNER</p> <p>2 harassment in the workplace?</p> <p>3 A Either '05 or '06.</p> <p>4 Q During Ms. Guzman's employment?</p> <p>5 A Absolutely.</p> <p>6 Q And so News Corporation established</p> <p>7 the alert line in 2005 or 2006 and that's</p> <p>8 one of the complaint procedures that New</p> <p>9 York Post employees at the time were</p> <p>10 expected to follow, correct?</p> <p>11 A They were not expected to follow.</p> <p>12 It was an avenue if employees wanted to make</p> <p>13 an anonymous complaint that they could avail</p> <p>14 themselves of.</p> <p>15 Q So News Corporation created an</p> <p>16 avenue of complaints for The New York Post</p> <p>17 employees to use if they wanted to?</p> <p>18 A News Corporation complied with its</p> <p>19 requirements under Sarbanes-Oxley which</p> <p>20 required it to set up an anonymous complaint</p> <p>21 line for all employees in all of its</p> <p>22 subsidiaries.</p> <p>23 Q Do you know which employees of News</p> <p>24 Corporation were involved in setting up this</p> <p>25 alert line for The New York Post employees</p>



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JORDAN LIPPNER

A I believe it states and stated that employees could be subject to discipline for violations.

I don't recall whether or not it specifically said that they would be subject to termination.

Q Do you know if only one version of the communications -- strike that.

Do you know if only one version of the Electronic Communications Policy was disseminated to New York Post employees during your employment?

A During whose employment?

Q Your employment.

A During my employment there have been I believe two iterations of the Electronic Communications Policy.

Q Okay.

Do you know when the first version of the Electronic Communications Policy came out?

A I want to say roughly 2004.

Q And when did the second version of the Electronic Communications Policy come

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JORDAN LIPPNER

out?

A I'm not exactly sure.

Q Do you have any idea as the 30B -- do you have any idea as a 30(b)(6) witness for News Corp. and The New York Post when the second version of the Electronic Communications Policy was disseminated?

A I think it came out about three to four years ago.

Q How did the second version of the Electronic Communications Policy differ from the first version?

A There were word cleanups. It was streamlined a bit. The original version had been repetitive in the sense of employees being cautioned about the same kind of thing not to do in multiple sections of the document.

I think those were the principal changes.

Q Do you know if any News Corporation attorneys were involved in creating the second version of the Electronic Communications Policy?

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JORDAN LIPPNER

A I do.

Q I want you to identify the News Corporation attorneys who were involved in creating the second version of that document?

A Ellen Agress.

Q Anyone else?

A Not to my knowledge.

Q Do you know if any other News Corporation employees were involved in creating the second version of the Electronic Communications Policy?

A I do not.

Q Were you involved in that?

A I was not.

Q How do you know that Ms. Agress was involved in creating the second version of the Electronic Communications Policy?

A I remember talking to her about it.

Q What did she say about it?

A She told me how she was working on it.

Q Do you know how that second version of the company's Electronic Communications

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JORDAN LIPPNER

Policy was disseminated to employees at The New York Post?

A I don't know if it was e-mailed to them, handed to them. No, I don't know the method that was used.

Q The next document listed in this Exhibit Bates stamped NYP-97 is entitled New York Post E-mail Policy.

Do you see that?

A I do.

Q When did that policy go into effect?

A I don't know.

Q Is that policy still in effect?

A I don't know.

Q What does that policy say?

A I have no idea.

Q Mr. Lippner, you are here as a 30(b)(6) witness to cover the areas that we set forth in our Deposition Notice, correct?

A Correct.

Q And in our Deposition Notice that we sent, it states that "The 30(b)(6) witness should be prepared to explain how

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1 JORDAN LIPPNER  
 2 this deposition, can you tell us anything  
 3 that The New York Post E-mail Policy states?  
 4 A No.  
 5 MR. LERNER: Objection.  
 6 Q Mr. Lippner, the next policy listed  
 7 is New York Post Cellphone Policy.  
 8 You see that?  
 9 A I do.  
 10 Q When did that go into effect?  
 11 A I cannot tell you.  
 12 Q Is it still in effect?  
 13 A It is.  
 14 Q Who created that policy?  
 15 A The New York Post.  
 16 Q Who at The New York Post?  
 17 A I cannot tell you.  
 18 Q Did any News Corp. employee have  
 19 any role in creating The New York Post  
 20 Cellphone Policy?  
 21 A No.  
 22 Q How do you know that someone at  
 23 The New York Post created The New York Post  
 24 Cellphone Policy?  
 25 A Because I reviewed it with New York

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1 JORDAN LIPPNER  
 2 says.  
 3 Q Mr. Lippner, you are the 30(b)(6)  
 4 witness who knows these policies very well,  
 5 correct?  
 6 MR. LERNER: Objection.  
 7 Q Yes.  
 8 A Is there a question?  
 9 Q Yes.  
 10 A What's the question?  
 11 MR. THOMPSON: Can you read it  
 12 back.  
 13 (Requested portion of record read:  
 14 "Q. Mr. Lippner, you are the  
 15 30(b)(6) witness who knows these policies  
 16 very well, correct?")  
 17 (End of read-back.)  
 18 A Mr. Thompson, what I'm is a  
 19 30(b)(6) witness who can tell you which  
 20 policies apply to The New York Post  
 21 employees and which policies apply to News  
 22 Corporation employees.  
 23 That is why I'm here today. I'm  
 24 not here so that I can give you a recital of  
 25 the substance of each such policy.

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1 JORDAN LIPPNER  
 2 Post HR.  
 3 Q Who in New York Post HR did you  
 4 review The New York Post Cellphone Policy  
 5 with?  
 6 A I believe it was Amy Saldone.  
 7 Q When did you review The New York  
 8 Post Cellphone Policy with Ms. Saldone?  
 9 A I can't tell you that.  
 10 Q What year?  
 11 A I just said I can't tell you that.  
 12 Q Tell us what The New York Post  
 13 Cellphone Policy says.  
 14 A I already told you I can't tell you  
 15 what it says.  
 16 Q No, you didn't tell me that. We  
 17 talked about The New York Post E-mail  
 18 Policy, and that's a different policy.  
 19 A And that was one of the first  
 20 questions, Mr. Thompson, to me when you  
 21 moved on was what does it say, and I and  
 22 said to you I don't recall what it says.  
 23 And I will reiterate, if you would  
 24 like to provide me with copy of the  
 25 document, I'd be happy to discuss what it

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1 JORDAN LIPPNER  
 2 Q I'm not asking you to give me a  
 3 recital of the substance of each such  
 4 policy. I'm asking you as 30(b)(6) witness  
 5 to tell us one thing The New York Post  
 6 Cellphone Policy says.  
 7 MR. LERNER: And what is the  
 8 relevance of what the cellphone  
 9 policy says to this matter?  
 10 MR. THOMPSON: Because the  
 11 relevance, Mr. Lerner, this witness  
 12 was supposed to come here with  
 13 knowledge of employee policies, and  
 14 he is completely clueless.  
 15 MR. LERNER: No, that's not an  
 16 answer to what the relevance is.  
 17 MR. THOMPSON: I'm answering  
 18 your question. You may not like my  
 19 answer.  
 20 This is a witness who has an  
 21 obligation to sit here and answer  
 22 questions about the application of  
 23 The New York Post employment policies.  
 24 He's got to know what those policies say.  
 25 MR. LERNER: I disagree with

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1 JORDAN LIPPNER  
 2 A I do. And he did.  
 3 Q Who was if at the time?  
 4 A Lon Jacobs.  
 5 Q Do you know if anyone at News  
 6 Corporation approved The New York Post  
 7 E-mail Policy before it was put into effect?  
 8 A No one at News Corporation had  
 9 anything to do with The New York Post E-mail  
 10 Policy.  
 11 Q Do you know if anyone at News  
 12 Corporation approved The New York Post  
 13 Cellphone Policy before it was put into  
 14 effect?  
 15 A No one at News Corporation had  
 16 anything to do with The New York Post  
 17 Cellphone Policy.  
 18 Q Do you know if anyone at News  
 19 America Incorporated approved The New York  
 20 Post E-mail Policy before it was put into  
 21 effect?  
 22 A Same answer. No one at News  
 23 America Incorporated had anything to do with  
 24 The New York Post E-mail Policy.  
 25 Q Same question regarding The New

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1 JORDAN LIPPNER  
 2 Management Policy was created by News  
 3 Corporation.  
 4 I know that Genie Gavenchak, Ellen  
 5 Agress, the group general counsel were  
 6 involved in creating and finalizing the  
 7 policy. There may have been other people.  
 8 I know that, for example -- I  
 9 believe I contributed, for example, to  
 10 giving them reference for how long you need  
 11 to keep employment-related documents based  
 12 on relevant stats at issue.  
 13 Whether there is a business  
 14 executive at News Corp. who had the final  
 15 say or it was the group general counsel's  
 16 final say, I can't answer that question.  
 17 Q Besides your involvement, do you  
 18 know if any other News America Incorporated  
 19 employee was involved in the creation of the  
 20 News Corporation Records Management Policy?  
 21 A I do not.  
 22 Q Do you know if that particular  
 23 policy is still in effect today?  
 24 A It is.  
 25 Q And does that policy apply to New

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1 JORDAN LIPPNER  
 2 York Post Cellphone Policy.  
 3 A No one at News America Incorporated  
 4 had any approval -- involvement with The New  
 5 York Post Cellphone Policy.  
 6 Q Do you know if there had been  
 7 different versions of The New York Post  
 8 Cellphone Policy distributed to New York  
 9 Post employees?  
 10 A I do not.  
 11 Q Now, looking at this Exhibit Bates  
 12 stamped NYP-97, it also states "News  
 13 Corporation Records Management Policy."  
 14 Do you know if that policy was ever  
 15 put into effect?  
 16 A I do.  
 17 Q Do you know when the News  
 18 Corporation Records Management Policy became  
 19 effective?  
 20 A I don't.  
 21 Q Do you know if any News Corporation  
 22 employee approved the News Corporation  
 23 Records Management Policy before it became  
 24 effective?  
 25 A I know the News Corporation Record

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1 JORDAN LIPPNER  
 2 York Post employees?  
 3 A I believe that the News Corporation  
 4 Records Management Policy applies to News  
 5 Corporation as well as to all of its wholly  
 6 owned subsidiaries.  
 7 Q Do you know if this News  
 8 Corporation Records Management Policy was in  
 9 effect during Ms. Guzman's employment as an  
 10 associate editor?  
 11 A When Ms. Guzman was employed by  
 12 The Post as an associate editor, I believe  
 13 that this policy -- I'm not a hundred  
 14 percent positive. I believe that it was  
 15 promulgated towards the end of her  
 16 employment at The Post but I'm not positive.  
 17 I'd be happy to give you a  
 18 supplemental answer on that if you would  
 19 like.  
 20 Q Who has responsibility for  
 21 enforcing News Corporations Record  
 22 Management Policy?  
 23 A Again, that's a company-by-company  
 24 thing.  
 25 For News Corporation itself, News

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JORDAN LIPPNER

(Directive to witness.)

MR. THOMPSON: Can we have that marking for a ruling.

MR. THOMPSON: Mr. Lerner, let me just tell you the reason why this is relevant. This goes to whether News Corporation and The New York Post are interrelated.

He just testified that there is a Website that is todaynewscorp.com. That is for senior executives at News Corp. and he believes Mr. Carlucci as well. We believe this also is evident of interrelatedness of the companies, but we'll get a ruling about that.

(Marked for a ruling.)

(Lippner Exhibit 21, E-mail dated Friday, February 20, 2009, 9:56 a.m., Bates Number NYP-3853, was marked for Identification.)

BY MR. THOMPSON:

Q Mr. Lippner, I'm showing you now what has been marked as Deposition Exhibit 21.

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JORDAN LIPPNER

Please take a moment and look at it. It's Bates stamped NYP-3853.

It is a document produced by The New York Post.

Tell us if you recognize it.

MR. LERNER: The question is "tell us if you recognize it."

THE WITNESS: I'm reading the document.

A I do recognize the document.

Q What is this document?

A It's an e-mail that went out to different people in our different companies.

Q Who sent the e-mail?

A It came from the Internal Communications Department.

Q Of News Corporation?

A Of News Corporation.

Q So this particular e-mail was sent on Friday, February 20, 2009, correct?

A That is correct.

Q And one of the people that it was sent to was Jennifer Jane at the News Corp., correct?

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JORDAN LIPPNER

A That is correct.

Q It says "News Corporation Corporate Security," correct?

A That is correct.

Q So that is an e-mail from the Internal Communications Department regarding a protest by the Reverend Al Sharpton and the National Action Network that was scheduled to take place in front of the building at 1211 Avenue of Americas, correct?

A Yeah. It's along the same lines of how I provide legal services to lots of different companies that fall under the News Corp. umbrella.

This is an e-mail that was put together by Corporate Security and the Internal Communications Department as a service to make sure that everyone was aware. Because the local police had alerted our head of Security that there was going to be a protest, and our head of Security in conjunction with Internal Communications wanted people to be aware so people weren't

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JORDAN LIPPNER

taken by surprise.

They wanted to give people some best practices that they could employ for their own safety, such as if there were people who were going to be out front who were angry at The New York Post and other companies, don't display your ID because that could make you a potential victim.

(Lippner Exhibit 22, E-mail dated Friday, February 20, 2009, 11:24 a.m., Bates Number NYP-3851, was marked for Identification.)

BY MR. THOMPSON:

Q I'm showing you now what's been marked as Lippner Deposition Exhibit 22, Bates stamp NYP-3851, a document that was produced by The New York Post in this case.

Can you take a moment look at it and tell us if you recognize it.

A I don't recognize Exhibit 22 except to the extent that it appears to be what this document, Exhibit 21, had recommended which was the same heads-up about the protest and it appears to be -- well, it's

**From:** NypostHR <nyposthr@nypost.com>  
**Sent:** Friday, February 20, 2009 11:24 AM  
**To:** NypostHR <nyposthr@nypost.com>  
**Subject:** Continued Demonstrations Planned in front of 1211 - TODAY

---



News Corporation



Corporate Security

Please be advised that Reverend Al Sharpton and the National Action Network are scheduled to gather in front of 1211 Avenue of the Americas for continued demonstrations today (Friday, February 20) at 5:00 pm. The group is gathering in response to a cartoon that ran in Wednesday's *New York Post* that they believe was racially offensive. The number of demonstrators expected is unknown at this time, and other impromptu demonstrations may occur in front of the building throughout the day.

Once again, no disruptions are expected. However, the NYPD will be present to monitor the demonstration, along with building and News Corporation security.

For your safety, it is always recommended that employees NOT display building ID cards once outside 1211 and/or 1185. This is particularly important when arriving and departing the building during demonstrations. We also encourage employees to use the alternate entrances at the back of 1211 (by Flavors) and the C-1 level if the main entrance becomes congested.

If you have any questions or concerns, please contact Corporate Security at (212) 852-7843.



News Corporation  
Corporate Security

General Security Concerns: 212.852.7843  
24/7 Command Center: 212.301.3843

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